

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
VAN DER BORGHT et al.

Application No.: 10/582,240

Confirmation No.: 1672

Filed: August 4, 2008

Art Unit: 3762

For: HEARING SYSTEM PROSTHESES

Examiner: Not Yet Assigned

INFORMATION DISCLOSURE STATEMENT (IDS)

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 CFR 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 CFR 1.97(b)(3)).

Applicants submit herewith an English language translation of an Office Action received from the Austrian Patent Office in a related Austrian application as a statement of relevance of the German language references DE 3723809 A1 and DE 10228828 C1 along with English language abstracts of the German language references.

In accordance with 37 CFR 1.98(a)(2)(ii), Applicants submit herewith copies of foreign patents and non-patent literature in accordance with 37 CFR 1.98(a)(2).

In accordance with 37 CFR 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 CFR 1.56(a) exists. In accordance with 37 CFR 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Information Disclosure Statement is in compliance with 37 CFR 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 22-0185, under Order No. 22409-00370-US.

Dated: November 17, 2009

Respectfully submitted,

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